

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

JUSTIN SHROPSHIRE,

Plaintiff,

v.

Case No. 8:20-cv-1931-TPB-CPT

TOWING & AUTO REPAIR
MANAGEMENT CORP, d/b/a
Victory Towing, JOSEPH D. SIMPSON,
and JESSICA K. SIMPSON,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Christopher P. Tuite, United States Magistrate Judge, entered on October 25, 2021. (Doc. 29). Judge Tuite recommends the Plaintiff's motion for attorney's fees and costs (Doc. 28) be granted. Specifically, he recommends that the Court award \$6,440 in attorney's fees and \$675 in costs, for a total sum of \$7,115 to be taxed against Defendants. No objection to the report and recommendation was filed, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must "make a de novo determination of those portions of the [report and recommendation] to which an objection is made." 28 U.S.C. § 636(b)(1)(C). When no

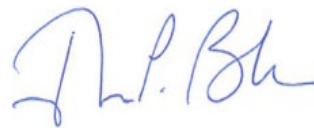
objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Tuite's report and recommendation, the Court adopts the report and recommendation in all respects. The Court agrees with Judge Tuite's detailed and well-reasoned factual findings and legal conclusions. As such, Plaintiff's motion is granted.

Accordingly, it is **ORDERED, ADJUDGED, and DECREED**:

1. The report and recommendation (Doc. 29) is **AFFIRMED and ADOPTED and INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. Plaintiff's motion for attorney's fees and costs (Doc. 28) is **GRANTED**.
3. Plaintiff is hereby awarded attorney's fees in the amount of \$6,440 and costs in the amount of \$675, for a total award of \$7,115.
4. The Clerk is directed to enter an amended final judgment in favor of Plaintiff and against Defendants that includes the award of attorney's fees and costs in this case, as set forth herein.

DONE and ORDERED in Chambers, in Tampa, Florida, this 23rd day of November, 2021.



TOM BARBER
UNITED STATES DISTRICT JUDGE